

-9-

REMARKS

Claims 16, 17, and 26 have been amended to correct clerical errors.

Each of the claims has been rejected under 35 USC 103(a) in view of various references. Thus, independent claim 25 has been rejected under 35 USC 103(a) over Mohawk (also referred to as "Stanton") in view of U.S. patents 629,935 to Sturgis and 2,198,960 to Deck. Independent claim 15 has been rejected under 35 USC 103(a) for the reasons stated with respect to claim 25 and further in view of U.S. patent 5,299,655 to Margaritis. Each of independent claims 22 and 33 has been rejected under 35 USC 103(a) for the reasons stated with respect to claim 15 and additionally in view of U.S. patent 4,071,191 to Hutton (a total of 5 references).

With regard to claim 15 as well as claims 16 to 20, the Examiner states that it would not have been unobvious to attach the ends of Stanton's (Mohawk's) cables to his structure by compression clamps as taught by Margaritis. With all due respect, compression clamps are not even recited in any of claims 15 to 20.

In his Preliminary Amendment, Applicant presented several pages of reasoned analysis of the patentability of the claims in view of the Mohawk (or Stanton), Sturgis, Margaritis, and Deck references. Many if not all of the points raised in that analysis were not even addressed by the Examiner, the Examiner providing instead a more generic response. It is respectfully requested that consideration be given to the discussion in the Preliminary Amendment of the patentability of the claims.

The following points, at least, unaddressed by the Examiner and discussed in greater detail in the Preliminary Amendment, were made in the Preliminary Amendment:

-10-

1. Mohawk (Stanton) teaches away from the present invention by reasonably suggesting a pair of holes for the legs respectively, which is what one of ordinary skill in the art viewing the Mohawk sketch would have reasonably inferred. If Mohawk intended a single large hole for both legs, which would have been considered a major development, such a hole as well as a plate or plates overlying the hole would have been reasonably expected to have been shown.

2. Since the Sturgis bridge is a permanent structure and since Sturgis teaches that the stringers and floor planks are united firmly together, there is no motivation or impetus in Sturgis for making the holes larger in size to accommodate the hook portion. Since the teaching of Sturgis is to achieve a firm uniting of the stringers and floor planks and since large holes mitigate against such a firm union, it is respectfully submitted that Sturgis also teaches away from the present invention.

3. Contrary to the present invention, the platform 10 of Deck is a single unitary structure, and the hooks are passed between spaced boards thereof (not through holes in the boards, as in the present invention). Thus, Deck does not disclose a floor comprising a plurality of flooring panels each having an opening therein for passage of a eyelet portion, as provided by the present invention. Neither does Mohawk or Sturgis or Margaritis disclose such a structure. All claim limitations must be taught or suggested. See MPEP 2143.03. Yet none of these references discloses or suggests this claimed feature.

4. It can be reasonably inferred that the straight shanks of the hooks of Deck would be inserted from underneath the platform. It is thus apparent that the purpose of the slots in

-11-

the bars is not for insertion of the curved hook portion but instead to achieve alignment between the slots and the spacings between the boards so that it is easier to insert the shanks of the hooks from underneath the platform. Thus, Deck does not provide any impetus or motivation for combining Deck with Mohawk.

5. Even if Mohawk (Stanton) and Deck were properly combinable, the combination still would not result in the present invention since neither of these references (or Sturgis or Margaritis) discloses or suggests, and the combination thereof would still not result in, a floor comprising a plurality of flooring panels each having an opening therein for passage of a eyelet portion, as provided by the present invention. All claim limitations must be taught or suggested. See MPEP 2143.03. It is respectfully submitted that only through the perfection of 20-20 hindsight could the leap be made to say that somehow the present invention is suggested by the combination of these two references along with Sturgis (a permanent structure).

Moreover, references cannot be combined where either one teaches away from the combination. See MPEP 2145 X.D.2. As discussed above, both Mohawk (Stanton) and Sturgis teach away from the present invention and are thus not combinable for either of these reasons.

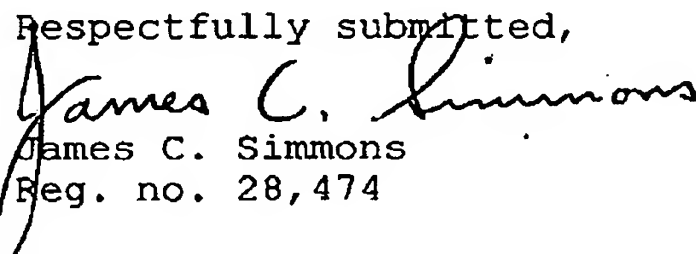
In summary, neither Mohawk nor Sturgis nor Deck nor any other of the references cited by the Examiner in rejection of the claims, whether separately or in combination, discloses, teaches, or suggests a temporary floor support structure for a variety of bridge structures with an opening in a flooring section which is sized for translation of a U-shaped or hook-shaped member therethrough (i.e., both legs of a U-shaped member received in the single opening) for detachable attachment of the flooring section

-12-

to a cable, as provided by the present invention, so as to enable workers to easily and quickly yet safely install U-bolt assemblies to detachably attach flooring sections to cables without having to dangerously reach around edges of the flooring sections. Moreover, Deck teaches away from the present invention by its provision of a scaffold wherein fasteners are undoubtedly insertable from underneath the unitary platform by passage of the shank portions of the fasteners upwardly between board spacings and through slots of transverse members (not through holes in the boards, as in the present invention).

For the reasons discussed above, it is respectfully submitted that each of the pending claims is patentable and that this application is in condition for allowance, and such is respectfully requested. If it would aid in advancing this application to issue, the Examiner is respectfully urged to call the attorney for Applicant at the number below.

Respectfully submitted,



James C. Simmons  
Reg. no. 28,474

The Law Office of James C. Simmons  
11 Falmouth Lane  
Williamsville, NY 14221  
Phone 716-632-7702